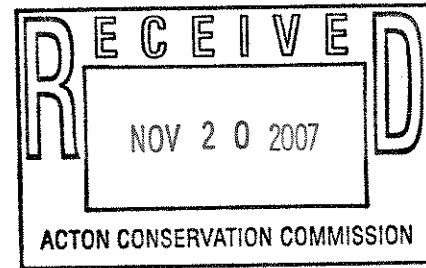


F. Dore Hunter, Chairman
Peter Berry
Paulina Knibbe
Andrew Magee
Lauren Rosenzweig
Board of Selectmen's Office
Town Hall
472 Main Street
Acton, MA 01720



November 15, 2007

SUBJECT: SPRING HILL ROAD NOTICE OF INTENT, NOVEMBER 2007

Dear Selectmen,

We would like to bring to your attention a Notice of Intent currently pending before Acton's Conservation Commission. It concerns a proposed development that directly impacts wetlands on Spring Hill Road – an area that was originally subdivided to protect these wetlands. This proposal was originally submitted in 1999 at which time it was denied by the Conservation Commission. A second application, which was in substance the same as the 1999 proposal, was submitted earlier this year and denied again by the Conservation Commission in August. Now, three months later, the applicant has submitted yet another Notice of Intent for the same project to the Conservation Commission. The applicant received a Superseding Order of Conditions from the Massachusetts DEP approving the project under the state Wetlands Protection Act. However, the applicant failed to file a timely appeal of the Conservation Commission's denial under Acton's Wetland Protection Bylaw with the Massachusetts Superior Court. Instead, the applicant is attempting to avoid litigation by returning yet again to the Conservation Commission.

This process is an incredible waste of Acton's resources and in total disregard for the interests of the Town. The proposal has been reviewed in depth on two separate occasions involving 10 hearings with evidence from biologists, lawyers and other specialists. Two separate Conservation Commissions with almost entirely different members found that the application did not meet Acton's Wetlands Bylaw's requirements. Now the Commission is being asked to repeat the process once again.

The DEP appeal was based entirely on the state Wetlands Protection Act and DEP Regulations, and did not address Acton's Wetlands Bylaw and Regulations, which are more stringent. We have the good fortune to live in a town that takes wetlands protection seriously and has a very clear and comprehensive set of bylaws and regulations to protect our valuable resources. If the applicant truly believes that his proposal does not violate these bylaws, he should have appealed at the Superior Court level instead of wasting the Conservation Commission's time with a third duplicative application.

Do not let Acton be held to ransom by this developer who we can only assume is hoping that Acton does not have the will to uphold its decisions and stand by its bylaws. The Conservation Commission has already spent considerable time on this case and unanimously decided that it did not satisfy the Wetlands Protection Bylaw and Regulations. We hope and trust that you will continue to support the Conservation Commission's proper application of our Wetlands Protection Bylaw. To do otherwise would set a precedent of allowing applicants to "wear down" the Commission by resubmitting Notices of Intent for the same project until it is approved. This would waste the Town's resources and undermine the Commission's ability to enforce the Acton Wetlands Protection Bylaw.

Given the depth of concern about this matter, we would appreciate a response to this letter as well as your continued attention to this matter.

Yours Sincerely,

T.M. Sullivan 8 Spring Hill Road, Acton

O- = - (DARA MITCHELL) 8 SPRING HILL RD. ACTON

Cynthia C Hervey 7 Duxton Ln, Acton

~~BARBARA~~ 7 DUXTON LANE ACTON

Susan Mitchell-Hardt 328 POPE RD.

Bob Callahan 7 Spring Hill Rd, Acton

Jill Moldak 7 Spring Hill Rd. Acton

Jon Gardner 15 Spring Hill Rd. Acton

William C. Sawyer 15 Spring Hill Rd, Acton

November 15, 2007

SUBJECT: SPRING HILL ROAD NOTICE OF INTENT, NOVEMBER 2007

Signatures Continued:

Sandra Roschik 2 Spring Hill Road
Christine Wambugen 2 Captain Forbush Lane
Jo-Anne Harris Nyer 31 Washington Drive
Barry Nyer 31 Washington Drive
Pet Glue 2 Spring Hill Road
Jadey Casato 9 Philox Lane
Willie C. Cat 9 Philox Lane
Leanne Bellevue 7 Grist Mill
M. Culy 19 Spring Hill

November 15, 2007

SUBJECT: SPRING HILL ROAD NOTICE OF INTENT, NOVEMBER 2007

Signatures Continued:

Maura Dyer	8 Joseph Reed Ln Acton
Chris Brown	3 Smart Rd Acton
Debbie Calder	28 Conant St. Acton
Jennifer Demersey	15 Prescott Rd. Acton
Alcott	201 High St, Acton MA
Andy Z Forton	21 Seneca Road Acton
Stacy Blumh	9 Seneca Rd Acton
Karen Penkelman	6 Hillcrest Dr. Acton

November 15, 2007

SUBJECT: SPRING HILL ROAD NOTICE OF INTENT, NOVEMBER 2007

Signatures Continued:

Fred Seward	369 Pope Rd.
Bill Koop	376 Pope Rd
Karen Koop	376 Pope Rd
Dusan W Seward	369 Pope Rd
Jeli Fyn	363 Pope Rd.
Bulet Fyn	363 Pope Rd / 149 Spencer Brook Rd.

November 15, 2007

SUBJECT: SPRING HILL ROAD NOTICE OF INTENT, NOVEMBER 2007

Signatures Continued:

Mary E. Bassett

Lisa Kamen

Jill Proener

Jim Snyder-bout

Joe Graham

Bruce Bennett

See Kennedy

Huntley & M. Lee

Nan Towle/Millet

Paul E. Hat

Dan Curran

Laren O'Neill

ADDRESSES

92 High St., Acton

238 Newtown Rd. Acton

191 Nagog Hill Rd.

18 Half Moon Hill

191 Nagog Hill Rd.

562 Main St.

68 Parker St. J

47 ALCOCK ST.

47 ALCOCK ST.

528 POPE RD

304 Pope Rd.

54 Central St.

SUBJECT: SPRING HILL ROAD NOTICE OF INTENT, NOVEMBER 2007

<u>Name</u>	<u>Address</u>
John Harvey	7 Duston Lane
Cynthia Harvey	7 Duston Lane
Rebecca Harvey	7 Duston Lane
Paula Austin	51 Main St., Acton
Jean M. Martin	8 Duston Lane
Maura McCaffrey	8 Duston Lane
David Brook	6 Duston Lane
Arlene Brook	6 Duston Lane
Elaine Sisk	3 Duston Lane

November 15, 2007

SUBJECT: SPRING HILL ROAD NOTICE OF INTENT, NOVEMBER 2007

Signatures Continued:

Michael G Fisher
12 Black Horse Drive
Acton 01720

November 15, 2007

SUBJECT: SPRING HILL ROAD NOTICE OF INTENT, NOVEMBER 2007

Signatures Continued:


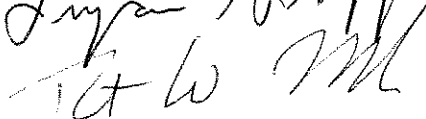
Carolyn D. DiCristina 3 Haynes Ct. 9/18/07
(CAROLYN D. DICRISTINA)

John F. DiCristina 3 Haynes Ct. 9/18/07
(JOHN F. DICRISTINA)

November 15, 2007

SUBJECT: SPRING HILL ROAD NOTICE OF INTENT, NOVEMBER 2007

Signatures Continued:

 (255 Pope Road, Acton)
 (255 Pope Rd, Acton)

Do not let Acton be held to ransom by this developer who we can only assume is hoping that Acton does not have the will to uphold its decisions and stand by its bylaws. The Conservation Commission has already spent considerable time on this case and unanimously decided that it did not satisfy the Wetlands Protection Bylaw and Regulations. We hope and trust that you will continue to support the Conservation Commission's proper application of our Wetlands Protection Bylaw. To do otherwise would set a precedent of allowing applicants to "wear down" the Commission by resubmitting Notices of Intent for the same project until it is approved. This would waste the Town's resources and undermine the Commission's ability to enforce the Acton Wetlands Protection Bylaw.

Given the depth of concern about this matter, we would appreciate a response to this letter as well as your continued attention to this matter.

Yours Sincerely,

Janet Little
9 Longmeadow Way, Acton

Ellen Blutt
5 Spring Hill Rd, Acton.

Jade Appelmann
4 Spring Hill Rd, Acton

Robert Little
5 Spring Hill Rd., Acton

Kimberly Appelmann
4 Spring Hill Rd Acton